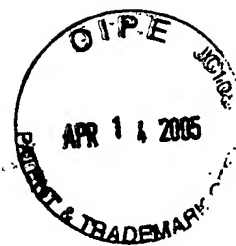


In The US Patent and TM Office



Application Number: : 10/662,870
Filing Date: : 09/15/03
Applicant : Neal T. Saiki
Application Title : Bicycle Rear Suspension System

Examiner : Daniel DePumpo
Art Unit : 3611

Mailed September 17, 2004
Scotts Valley, CA

Comissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Letter mailed 08/17/04 and our phone conversation on 9/15/04, I'd like to make the following changes to my application.

For the sake of the initial examination, I am willing to limit the species of the claimed invention to the one shown in figure 9. I believe that this will allow the examination process to continue. It is also my belief that the three species shown are not patentably distinct, but I'll traverse that ground after the initial examination of the species shown in figure 9 is evaluated.

This invention is rather complicated because it uses a moving "virtual pivot" and not a standard single fixed pivot. I have attempted to explain the mechanism as best as possible, but it is a confusing subject that is generally reserved for collage engineering students. Please feel free to contact me for any further explanation.

Fortunately, the vast majority of prior art bicycle patents can be immediately eliminated from comparison because very few have the attributes of using a virtual pivot on a unified rear triangle (crank assembly attached to swingarm and not the frame). Within this very small group, nobody has used a rearwardly moving virtual pivot to reduce crankset movement.

All of the claims read upon the species shown in figure 9.

Very respectfully,

Neal Saiki
Applicant Pro Se

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Certificate of Mailing

I hereby certify that this correspondence will be deposited with the United States Postal Service by first class mail, postage prepaid, in an envelope addressed to "Box Non-Fee Amendments, Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450" on the date below.

Date: 9/17/04

Inventor's Signature: Neal T Saiki

orders to be filed by hand or "Express Mail";

(C) The filing of agreements between parties to an interference under §§ 1.100-1.103(c);

(D) The filing of an international application for patent;

(E) The filing of correspondence in an international application before the U.S. Receiving Office, the U.S. International Searching Authority, or the U.S. International Preliminary Examining Authority;

(F) The filing of a copy of the international application and the basic national fee necessary to enter the national stage, as specified in § 1.483(c).

(G) *[Reserved]*

(H) *Relative to Disciplinary Proceedings-*

(A) Correspondence filed in connection with a disciplinary proceeding under part 1.0 of this chapter.

(B) *[Reserved]*

(b) In the event that correspondence is considered timely filed by being mailed or transmitted in accordance with paragraph (a) of this section, but not received in the Patent and Trademark Office, and the application is held to be abandoned or the proceeding is dismissed, terminated, or decided with prejudice, the correspondence will be considered timely if the party who forwarded such correspondence:

(1) Informs the Office of the previous mailing or transmission of the correspondence promptly after becoming aware that the Office has no evidence of receipt of the correspondence;

(2) Supplies an additional copy of the previously mailed or transmitted correspondence and certificate; and

(3) Includes a statement which attests on a personal knowledge basis or to the satisfaction of the Director to the previous timely mailing or transmission. If the correspondence was sent by facsimile transmission, a copy of the sending unit's report confirming transmission may be used to support this statement.

(c) The Office may require additional evidence to determine if the correspondence was timely filed.

[41 FR 43721, Oct. 4, 1976; 43 FR 20461, May 11, 1978; para. (a). 47 FR 47381, Oct. 26, 1982, effective Oct. 26, 1982; para. (a), 48 FR 2708, Jan. 20, 1983; para. (a) 49 FR 48416, Dec. 12, 1984, effective Feb. 11, 1985; para. (a), 49 FR 5171, Feb. 6, 1985, effective Mar. 8, 1985; 52 FR 20046, May 28, 1987; subparas. (a)(2) (xiv)-(xvi), 54 FR 37588, Sept. 11, 1989, effective Nov. 16, 1989; revised, 58 FR 54494, Oct. 22, 1993, effective Nov. 22, 1993; para. (a) revised, 61 FR 56439, Nov.